

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 609
OFFERED BY MS. FOXX OF NORTH CAROLINA**

After section 402 of the Amendment insert the following new section (and redesignate the succeeding sections accordingly):

1 SEC. 403. TRIO REFORM.

2 (a) PERFORMANCE MEASURES.—Section 402A (20
3 U.S.C. 1070a-11) is amended—

4 (1) by redesignating subsections (c) through (g)
5 as subsection (d) through (h), respectively; and

6 (2) by inserting after subsection (b) the fol-
7 lowing new subsection:

8 “(c) PERFORMANCE MEASURES.—

9 “(1) IN GENERAL.—The Secretary shall estab-
10 lish expected program outcomes and procedures for
11 measuring, annually and for longer periods, the
12 quality and effectiveness of programs operated under
13 this chapter, and the impact of the services provided
14 through the programs to support the attainment of
15 higher education for students from disadvantaged
16 backgrounds, low-income individuals, and prospective
17 first generation college students.



1 “(2) USE OF MEASURES.—The performance
2 measures described in paragraph (1) shall be used
3 to—

4 “(A) assess the impact of the specific serv-
5 ices provided by recipients of grants or con-
6 tracts under this chapter and, to the extent the
7 Secretary finds appropriate, administrative and
8 financial management practices of such pro-
9 grams;

10 “(B) identify strengths and weaknesses in
11 the provision of services provided by grantees
12 under this chapter;

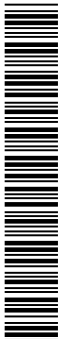
13 “(C) identify project operations that may
14 require training and technical assistance re-
15 sources.

16 “(3) ADDITIONAL MEASURES.—In addition to
17 the performance measures in paragraph (1), each
18 grant recipient may establish local performance
19 measures.”.

20 (b) SELECTION.—Paragraph (2) of subsection (d) of
21 such section (as redesignated by subsection (a)(1)) is
22 amended to read as follows:

23 “(2) SELECTION.—

24 “(A) IN GENERAL.—In awarding grants
25 from among qualified applicants, the Secretary



1 shall consider the effectiveness of each applicant
2 to provide services under this chapter, based
3 on—

4 “(i) the plan of such applicant to de-
5 liver program services and achieve expected
6 program outcomes established by the Sec-
7 retary;

8 “(ii) the plan of such applicant to co-
9 ordinate program services with other pro-
10 grams for disadvantaged students; and

11 “(iii) any prior experience of such ap-
12 plicant in achieving expected program out-
13 comes under this chapter.

14 “(B) ADDITIONAL CRITERIA.—The Sec-
15 retary may establish additional selection criteria
16 as necessary to identify the most qualified ap-
17 plicants.”.

18 (c) PRIOR EXPERIENCE.—Paragraph (3) of such
19 subsection (d) is amended—

20 (1) by striking subparagraph (A) and inserting
21 the following:

22 “(A) In making grants under this chapter,
23 the Secretary shall use the measures described
24 in subsection (c)(1) to evaluate each applicant’s
25 prior experience in achieving expected program



1 outcomes under the particular program for
2 which funds are sought.”; and

3 (2) by adding at the end the following new sub-
4 paragraph:

5 “(C) The Secretary shall not give prior ex-
6 perience points to any current grantee that dur-
7 ing the then most recent period for which funds
8 were provided—

9 “(i) failed to meet one or more ex-
10 pected program outcomes based on the
11 performance measures described in sub-
12 section (c); or

13 “(ii) expended funds for indirect costs
14 in an amount that exceeded 8 percent of
15 the total grant award.”.

16 (d) ORDER OF AWARDS.—Subparagraph (B) of para-
17 graph (4) of such subsection (d) is amended to read as
18 follows:

19 “(B) The Secretary shall not provide as-
20 sistance to an entity if the Secretary has deter-
21 mined that such entity has involved the fraudu-
22 lent use of public or private funds.”.

23 (e) TECHNICAL ASSISTANCE.—Paragraph (3) of sub-
24 section (e) of such section (as redesignated by subsection
25 (a)(1)) is amended to read as follows:



1 “(3) TECHNICAL ASSISTANCE.—The Secretary
2 shall provide technical assistance to applicants for
3 projects and programs authorized under this chap-
4 ter. The Secretary shall give priority to serving pro-
5 grams and projects that serve geographic areas and
6 eligible populations which have been underserved by
7 the programs assisted under this chapter. Technical
8 training activities shall include the provision of in-
9 formation on authorizing legislation, goals and objec-
10 tives of the program, required activities, eligibility
11 requirements, the application process and applica-
12 tion deadlines, and assistance in the development of
13 program proposals and the completion of program
14 applications.”.

15 (f) RECORDKEEPING AND REPORTING.—Subsection
16 (f) of such section (as redesignated by subsection (a)(1))
17 is amended to read as follows:

18 “(f) RECORDKEEPING AND REPORTING.—

19 “(1) IN GENERAL.—The Secretary shall estab-
20 lish uniform reporting requirements and require
21 each recipient of funds under this chapter to submit
22 annually and in electronic form such information in
23 such manner and form and at such time as the Sec-
24 retary may require, except that reporting such infor-



1 mation shall not reveal personally identifiable infor-
2 mation about an individual student.

3 “(2) REPORT TO CONGRESS.—At least once
4 every 2-year period, the Secretary shall prepare and
5 submit to the authorizing Committees, a report on
6 the services provided to students that shall include—

7 “(A) a statement for the then most re-
8 cently concluded fiscal year specifying—

9 “(i) the amount of funds received by
10 grantees to provide services under this
11 chapter; and

12 “(ii) the amount of funds received by
13 new grantees to provide services under this
14 chapter;

15 “(B) a description of the specific services
16 provided to students;

17 “(C) a summary of the overall success in
18 achieving specific program outcomes or progress
19 toward such outcomes;

20 “(D) a report of the number of students
21 served by type of service received;

22 “(E) information summarizing the types of
23 organizations that received funds under this
24 chapter; and



1 “(F) a summary of the research and eval-
2 uation activities under section 402h,
3 including—

4 “(i) a status report on ongoing activi-
5 ties;

6 “(ii) results, conclusions, and rec-
7 ommendations of such activities available
8 after the then most recent report.”.

9 (g) INCREASED MONITORING.—Subsection (g) of
10 such section (as redesignated by subsection (a)(1)) is
11 amended by striking everything after the first sentence
12 and inserting the following: “Of the amount appropriated
13 under this chapter, the Secretary may use no more than
14 one half of 1 percent of such amount to support the ad-
15 ministration of the Federal TRIO programs including to
16 increase the level of oversight monitoring, to support im-
17 pact studies, program assessments and reviews, and to
18 provide technical assistance to prospective applicants and
19 current grantees.”.

20 (h) EXPECTED PROGRAM OUTCOME.—

21 (1) Section 402B (20 U.S.C. 1070a-12) is
22 amended by adding at the end the following new
23 subsection:

24 “(d) EXPECTED PROGRAM OUTCOME.—For the pur-
25 poses of assessing an applicant’s past performance under



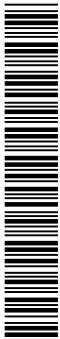
1 section 402A(c)(1), and prior experience under section
2 402A(d)(3), the Secretary shall consider the college-going
3 rate of the participants served by the program compared
4 to that of other applicants eligible to receive consideration
5 of prior experience.”.

6 (2) Section 402C (20 U.S.C. 1070a-12) is
7 amended by adding at the end the following new
8 subsection:

9 “(f) EXPECTED PROGRAM OUTCOME.—For the pur-
10 poses of assessing an applicant’s past performance under
11 section 402A(c)(1), and prior experience under section
12 402A(d)(3), the Secretary shall consider the college-going
13 rate of the participants served by the program compared
14 to that of other applicants eligible to receive consideration
15 of prior experience.”.

16 (3) Section 402D (20 U.S.C. 1070a-12) is
17 amended by adding at the end the following new
18 subsection:

19 “(d) EXPECTED PROGRAM OUTCOME.—For the pur-
20 poses of assessing an applicant’s past performance under
21 section 402A(c)(1), and prior experience under section
22 402A(d)(3), the Secretary shall consider the college-going
23 rate of the participants served by the program compared
24 to that of other applicants eligible to receive consideration
25 of prior experience.”.



1 (4) Section 402E (20 U.S.C. 1070a-12) is
2 amended by striking subsection (f) and inserting the
3 following:

4 “(f) EXPECTED PROGRAM OUTCOME.—For the pur-
5 poses of assessing an applicant’s past performance under
6 section 402A(c)(1), and prior experience under section
7 402A(d)(3), the Secretary shall consider the college-going
8 rate of the participants served by the program compared
9 to that of other applicants eligible to receive consideration
10 of prior experience.”.

11 (5) Section 402F (20 U.S.C. 1070a-12) is
12 amended by adding at the end the following new
13 subsection:

14 “(d) EXPECTED PROGRAM OUTCOME.—For the pur-
15 poses of assessing an applicant’s past performance under
16 section 402A(c)(1), and prior experience under section
17 402A(d)(3), the Secretary shall consider the college-going
18 rate of the participants served by the program compared
19 to that of other applicants eligible to receive consideration
20 of prior experience.”.

21 (i) STAFF DEVELOPMENT.—Section 402G (20
22 U.S.C. 1070a-17) is amended to read as follows:

23 **“SEC. 402G. STAFF DEVELOPMENT ACTIVITIES.**

24 “(a) SECRETARY’S AUTHORITY.—For the purpose of
25 improving the operation of the programs and projects au-



1 thorized by this chapter, the Secretary is authorized to
2 make grants to institutions of higher education and other
3 public and private nonprofit institutions and organizations
4 to provide training and technical assistance for staff and
5 leadership personnel employed in, participating in, or pre-
6 paring for employment in, such programs and projects.

7 “(b) CONTENTS OF TRAINING PROGRAMS.—Such
8 training shall be provided to assist programs and projects
9 in—

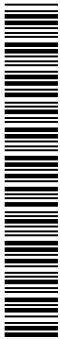
10 “(1) achieving the expected program outcomes
11 stated under this chapter or additional outcomes
12 identified by individual programs or projects;

13 “(2) addressing any identified program weak-
14 nesses in the overall development, conduct, or ad-
15 ministration of a grant or contract;

16 “(3) improving the quality of services provided
17 to eligible students; or

18 “(4) additional areas in need of program im-
19 provement as identified by the Secretary or as re-
20 quested by grantees in order to enhance program op-
21 erations and outcomes.

22 “(c) CONSULTATION.—Grants for the purposes of
23 this section shall be made only after consultation with re-
24 gional and State professional associations of persons hav-



1 ing special knowledge with respect to the needs and prob-
2 lems of such programs and projects.”.

3 (j) EVALUATIONS.—Section 402H (20 U.S.C. 1070a-
4 18) is amended to read as follows:

5 **“SEC. 402H. EVALUATIONS.**

6 “(a) EVALUATIONS.—

7 “(1) IN GENERAL.—For the purpose of improv-
8 ing the effectiveness of the programs and projects
9 assisted under this chapter, the Secretary shall make
10 grants to or enter into contracts with one or more
11 organizations to—

12 “(A) evaluate the effectiveness of the pro-
13 grams and projects assisted under this chapter;
14 and

15 “(B) disseminate information on the im-
16 pact of the programs in increasing the edu-
17 cation level of participating students, as well as
18 other appropriate measures.

19 “(2) ISSUES TO BE EVALUATED.—The evalua-
20 tions described in paragraph (1) shall measure the
21 effectiveness of programs under this chapter in—

22 “(A) meeting the expected program out-
23 comes stated under this chapter and all per-
24 formance measures identified by the Secretary;



1 “(B) enhancing the access of low-income
2 individuals and first-generation college students
3 to postsecondary education;

4 “(C) preparing individuals and students
5 for postsecondary education;

6 “(D) comparing the level of education com-
7 pleted by students who participate in the pro-
8 grams funded under this chapter with the level
9 of education completed by students of similar
10 backgrounds who do not participate in such
11 programs;

12 “(E) comparing the retention rates, drop-
13 out rates, graduation rates, and college admis-
14 sion and completion rates of students who par-
15 ticipate in the programs funded under this
16 chapter with the rates of students of similar
17 backgrounds who do not participate in such
18 programs; and

19 “(F) such other issues as the Secretary
20 considers appropriate for inclusion in the eval-
21 uation.

22 “(3) PROGRAM METHODS.—Such evaluations
23 shall also investigate the effectiveness of alternative
24 and innovative methods within Federal TRIO pro-



1 grams of increasing access to, and retention of, stu-
2 dents in postsecondary education.

3 “(b) RESULTS.—The Secretary shall submit to the
4 authorizing committees—

5 “(1) an annual interim report on the progress
6 and preliminary results of the evaluation of each
7 program funded under this chapter no later than 2
8 years following the date of enactment of the Act;
9 and

10 “(2) a final report not later than 3 years fol-
11 lowing the date of enactment of the Act.

12 “(c) PUBLIC AVAILABILITY.—All reports and under-
13 lying data gathered pursuant to this section shall be made
14 available to the public upon request, in a timely manner
15 following submission of the applicable reports under sub-
16 section (b), except that any personally identifiable infor-
17 mation on students participating in any TRIO program
18 shall not be disclosed or made available to the public.”.

